

This Order is not to be taken as a pre-judgment, express or implied, that this is an action to be heard exclusively by a three-judge court. That question is best answered by a three-judge court. The parties will be afforded the opportunity to brief and argue all questions as may appropriately be presented to the three-judge panel, either preliminarily or on the trial of the merits, as the court deems appropriate.

A handwritten signature in cursive script, reading "Edith H. Jones", written in black ink.

Edith H. Jones, Chief Judge
United States Court of Appeals
for the Fifth Circuit

Date: March 16, 2006